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9 *Co-Lead Class Counsel for the Direct Purchaser Plaintiffs*

11 **UNITED STATES DISTRICT COURT**

12 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

14 IN RE: TFT-LCD (FLAT PANEL)  
ANTITRUST LITIGATION

Case No. MDL 3:07-md-1827 SI

15 **CLASS ACTION**

16 This Document Relates to:

17 ALL DIRECT PURCHASER CLASS  
18 ACTIONS

**REQUEST TO BE EXEMPTED FROM  
THE COURT'S PROPOSED  
AMENDMENTS TO ORDER  
APPOINTING MARTIN QUINN AS  
SPECIAL MASTER**

19 Crtrm.: 10

1 The Direct Purchaser Class Plaintiffs (“DPPs”) ask to be exempted from the Court’s  
 2 Notice Of Impending Amendment To Order Appointing Martin Quinn As Special Master (Doc.  
 3 No. 6500). The Court has preliminarily approved the DPPs’ settlement with AUO, and a  
 4 settlement with Toshiba has just been reached. (Doc. Nos. 6437, 6510.) DPPs hope to put the  
 5 Toshiba settlement on the same final approval schedule as the AUO settlement. Under that  
 6 schedule, the DPPs’ attorneys’ fee petition would be due on September 24, 2012, and that motion  
 7 would be heard on November 28, 2012. (Doc. No. 6437.)

8 This Court already has approved the fees and costs for the DPPs’ previous settlements, and  
 9 those fees and costs have been disbursed. The order approving those fees and costs gave  
 10 discretion to co-lead class counsel to determine how they would be allocated. (Doc. No. 4436, ¶  
 11 9(f).) This process worked smoothly. The AUO and Toshiba settlements are similar in form and  
 12 substance to all previous settlements in the DPP case, and DPPs do not anticipate any issues  
 13 concerning the allocation or disbursement of fees and costs with respect to the those settlements.  
 14 DPPs suggest that the procedures described in the Court’s order are not necessary in the DPP case  
 15 for the two remaining settlements.

16 DPPs, therefore, respectfully request that the motions for attorneys’ fees and  
 17 reimbursement of expenses arising from their settlements with AUO and Toshiba be heard by the  
 18 Court as was done before, rather than Special Master Quinn, and that the order be further amended  
 19 to exclude the DPP case.<sup>1</sup> If circumstances change, any such exemption would not prevent the  
 20 Court from referring the matter to Mr. Quinn at a later date.

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 24 <sup>1</sup> This can be accomplished through two amendments to the proposed order. First, the Court may  
 25 add the following language as Paragraph 8(c): “Paragraph 8(a)-(b) shall not apply to the Direct  
 26 Purchaser Class Action.” Second, the Court may revise the second sentence of Paragraph 14 to  
 27 add the following italicized language: “Further, the Special Master shall prepare reports and issue  
 28 recommendations to the Court on the subjects of the reimbursement of expenses and awards of  
 attorneys’ fees *in all cases except the Direct Purchaser Class Action.*”

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Respectfully submitted,

DATED: August 27, 2012

**PEARSON, SIMON, WARSHAW & PENNY, LLP**

By:           /s/          Bruce L. Simon            
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Plaintiffs*

DATED: August 27, 2012

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By:           /s/          Eric B. Fastiff            
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